



PRESENT:

Mr. Russell J. Gulley, Chairman
Mr. Reuben J. Waller, Jr., Vice-Chairman
Dr. William P. Brown
Mr. J. Dale Patton
Dr. Edgar V. Wallin
Mr. Michael Tompkins, Assistant Director of Planning

ALSO PRESENT:

Mr. Rob Robinson, Senior Assistant County Attorney,
County Attorney's Office
Ms. Tara McGee, Senior Assistant County Attorney,
County Attorney's Office
Mr. Steve Haasch, Planning Manager,
Planning Department
Ms. Bonnie Perdue, Clerk,
Planning Department
Mr. Greg Allen, Planning Manager,
Planning Department
Ms. Jane Peterson, Planning Manager,
Planning Department
Ms. Darla Orr, Planning and Special Projects Manager,
Planning Department
Mr. Robert Clay, Planning and Special Projects Manager,
Planning Department
Ms. Teresa C. Davis, Planning and Special Projects Coordinator,
Planning Department
Mr. Jesse Smith, Director,
Transportation Department
Mr. Steven Adams, Senior Civil Engineer
Transportation Department
Mr. Scott Dunn, Assistant Director
Environmental Engineering Department
Mr. Dave Wolverton, Microcomputer Analyst
Information Systems Technology Department
Deputy Fire Marshall Anthony Batten, Fire and Life Safety,
Fire and EMS Department
Ms. Heather Barrar, Principal Planner,

Planning Department
Ms. Joanne Simmelink, Senior Planner,
Planning Department
Mr. Ray Cash, Code Keeper,
Planning Department

ASSEMBLY AND WORK SESSION.

Messrs. Gulley, Waller, Brown, Patton and Wallin and staff assembled at 3:30 p.m. in the Public Meeting Room, Chesterfield County Administration Building, 10001 Iron Bridge Road Chesterfield, VA, for a work session.

I. CALL TO ORDER.

Mr. Gulley called the meeting to order.

II. REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS, CHANGES IN THE ORDER OF PRESENTATION.

There were no requests to postpone action, emergency additions or changes in the order of presentation.

III. REVIEW UPCOMING AGENDAS.

Ms. Jane Peterson apprised the Commission of the caseload agendas for November, December, January and February.

IV. REVIEW DAY'S AGENDA.

Mr. Greg Allen provided an overview to the Commission on the one (1) case for the 4:00 p.m. session.

Ms. Jane Peterson provided an overview to the Commission on the eleven (11) cases for today's agenda.

V. WORK PROGRAM - REVIEW AND UPDATE.

There were no questions relative to the Work Program.

VI. REVIEW PLANNING COMMISSION FOLLOW-UP ITEMS LIST.

There were no questions relative to the Follow-Up Items List.

VII. DISCUSSION OF PROPOSED BIKEWAYS & TRAILS CHAPTER (14PJ0129).

Ms. Heather Barrar provided an overview to the Commission on the proposed Bikeways & Trails Chapter of the Comprehensive Plan. The Chapter goal is to create and maintain a comprehensive bikeway and trail network that will provide alternatives to vehicular transportation, safely link people

to destinations within and outside the County and encourage and support an active lifestyle for all ages and abilities. Multiple community meetings have been held, staff has updated and revised the Chapter based upon public comments and the updated version includes phasing of the network. The Board has set their public hearing for November 18 and the Commission will hold its public hearing during the 6 p.m. session this evening.

VIII. RECESS.

The Commission recessed the Work Session at 4:08 p.m. for the 4:00 p.m. public hearing.

4:00 P.M. PUBLIC MEETING.

I. CALL TO ORDER.

Mr. Gulley, Chairman, called the meeting to order at 4:09 p.m., in the Public Meeting Room, Lane B. Ramsey Administration Building, 10001 Iron Bridge Road, Chesterfield, VA.

Mr. Greg Allen introduced Mr. Chris Hale, Senior Planner in the Plans Review Section of Planning, to the Commission.

II. APPROVAL OF THE PLANNING COMMISSION MINUTES.

- July 21, 2015 Minutes.

On motion of Dr. Wallin, seconded by Mr. Patton the Commission resolved to approve the July 21, 2015 Planning Commission minutes.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- July 23, 2015 Minutes.

On motion of Mr. Gulley, seconded by Dr. Wallin the Commission resolved to defer the July 23, 2015 minutes to the November 17, 2015 Planning Commission public hearing.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- August 18, 2015 Minutes.

On motion of Mr. Gulley, seconded by Dr. Wallin the Commission resolved to defer the August 18, 2015 Planning Commission minutes to the November 17, 2015.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

III. PUBLIC MEETING.

- A. 16PR0128:** In Clover Hill Magisterial District, **WATERFORD BUSINESS CENTER, LLC** requests approval for the landscape plan for **WATERFORD FITECH LANDSCAPE** in Industrial (I-1) District a site totaling 1.20 disturbed acres located at 2400 Pari Way. Tax ID 730-692-2018.

Mr. Aaron Breed, the applicant's representative requested approval of the case.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to the request.

There being no one to speak, Mr. Gulley closed the public hearing.

On motion of Mr. Gully, seconded by Dr. Wallin, the Commission resolved to recommend approval of Case 16PR0128.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

AT 4:14 P.M. THE THE WORK SESSION RESUMED.

VIII. UPDATE ON CAPITAL CONSTRUCTION GOALS & ACCOUNTABILITY COMMITTEE.

Dr. Wallin distributed the minutes of the previous meeting from the Capital Construction Goals & Accountability Committee and the agenda items for the meeting scheduled for tomorrow. A September meeting was not held.

Mr. Waller commented on confusion regarding the minutes from August 19, 2015 as to the timing and scheduling of projects and the need to have clarification as to the status of each school project.

Mr. Waller stated the questions being asked by Dr. Wallin and Mr. Scherzer are not being answered. There appear to be no action items taken. He sees no definitive leadership coming out of this entire exercise.

Dr. Brown stated that the minutes reflect correctly what he heard Mr. Sorensen say at that meeting about those three (3) schools being on schedule. He pointed out that funding issues and limitations control the timing of the school projects.

IV. RECESS.

There being no further business to discuss, the Commission recessed the Afternoon Session at approximately 4:28 p.m., agreeing to meet in the Executive Meeting Room at 5:00 p.m., for dinner; and to reconvene in the Public Meeting Room at 6:00 p.m. for the public meeting.

5:00 P.M. DINNER - EXECUTIVE MEETING ROOM.

During dinner, there was general discussion on topics related to the Planning Commission.

6:00 P.M. PUBLIC HEARING.

I. CALL TO ORDER.

Mr. Gulley called the session to order.

II. INVOCATION.

Dr. Wallin presented the invocation.

III. PLEDGE OF ALLEGIANCE TO THE FLAG OF UNITED STATES OF AMERICA.

The Commission led in the Pledge of Allegiance to the Flag.

Mr. Gulley recognized Powhatan Planning Commission members, Ms. Karin Carmack, Chair and representative for District 1 and Mr. Bill Cox, representative for District 4.

IV. REVIEW UPCOMING AGENDAS.

Mr. Mike Tompkins apprised the Commission of the caseload agendas for November, December, January and February.

V. REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS OR CHANGES IN THE ORDER OF PRESENTATION.

There were no requests to postpone action, emergency additions or changes in the order of presentation.

VI. REVIEW MEETING PROCEDURES.

Mr. Mike Tompkins reviewed the meeting procedures.

VII. CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS INVOLVING THE SERVICES, POLICIES AND AFFAIRS OF THE COUNTY GOVERNMENT REGARDING PLANNING OR LAND USE ISSUES.

There were no citizens' comments on unscheduled matters.

VIII. PUBLIC HEARING.

- **DEFERRED REQUESTS BY INDIVIDUAL PLANNING COMMISSIONERS – CONDITIONAL USE, CONDITIONAL USE PLANNED DEVELOPMENT AND REZONING.**

- A. 15SN0656*:** In Midlothian Magisterial District, **Marc Greenberg and Midlothian Land Partnership, LLC** request rezoning from Community Business (C-3) to Community Business (C-3) with conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map on 25.4 acres fronting 1450 feet on the north line of Midlothian Turnpike, 330 feet west of Winterfield Road; also fronting 230 feet on the west line of Winterfield Road, 315 feet north of Midlothian Turnpike. Density will be controlled by zoning conditions or

Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Suburban Commercial District and Planned Transition Area uses. Tax IDs 724-709-1313, 2311, 2528, 4210, 5831, 6911, 9121; 725-709-1125, 2064 and 7635. 📄

Mr. Andrew Condlin, the applicant's representative, accepted deferral of Case 15SN0656 by Mr. Waller to the November 17, 2015 public hearing.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

The following motion was made at Mr. Waller's request.

On motion of Mr. Waller, seconded by Dr. Brown, the Commission, on their own motion, resolved to defer Case 15SN0656 to the November 17, 2015 Planning Commission public hearing.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- D. **15SN0647:** In Bermuda Magisterial District, **Virginia Electric and Power Company d/b/a Dominion Virginia Power** requests amendment of conditional use (Case 10SN0114) relative to uses, construction, operation, buffering and public facilities impacts of a management facility for fossil fuel combustion products in a Heavy Industrial (I-3) District on 842.1 acres fronting the north, south and east lines of Coxendale and Old Stage Roads. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Industrial use. Tax IDs 802-665-4390; 805-662-7764; 805-666-2525; 806-662-8465; 806-664-8063; 807-660-1776; and 811-660-3332. 📄

Ms. Ann Neil Cosby, the applicant's representative, accepted deferral of Case 15SN0647 by Mr. Patton to the November 17, 2015 public hearing.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

The following motion was made at Mr. Patton's request.

On motion of Mr. Patton, seconded by Dr. Wallin, the Commission, on their own motion, and with the applicant's consent, resolved to defer Case 15SN0647 to the November 17, 2015 Planning Commission public hearing.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

• **CONSENT ITEMS – CONDITIONAL USES, CONDITIONAL USE PLANNED DEVELOPMENT AND REZONING.**

- E. **16SN0543**: In Bermuda Magisterial District, **Cordell V. and Terri H. Preciado** request conditional use to permit two dwelling units on one lot and amendment of zoning district map in a Residential (R-15) District on 14.5 acres known as 12212 N. Almer Lane. Residential use of up to 2.90 units per acre is permitted in the Residential (R-15) District. The Comprehensive Plan suggests the property is appropriate for Medium High Density Residential (4.0 to 8.0 dwellings per acre). Tax ID 827-659-9866. 📄

Ms. Terri Preciado, the applicant, accepted staff's recommendation.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

On motion of Mr. Patton, seconded by Dr. Wallin the Commission resolved to recommend approval of Case 16SN0543 and acceptance of the following proffered conditions:

PROFFERED CONDITIONS

1. Occupancy of the second dwelling unit shall be limited to: the occupants of the principal dwelling unit, individuals related to them by blood, marriage, adoption or guardianship, foster children, guests and any domestic servants. (P)
2. For the purpose of providing record notice, within thirty (30) days of approval of this request, a deed restriction shall be recorded setting forth the limitation in Condition 1. The deed book and page number of such restriction and a copy of the restriction as recorded shall be submitted to the Planning Department. (P)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- F. **16SN0546*****: In Midlothian Magisterial District, **Barbara J. Corwin** requests conditional use to permit a two-family dwelling and amendment of zoning district map in a Residential (R-40) District on 1.2 acres known as 3011 Fawnview Drive. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Low Density Residential use. Tax ID 744-719-3011. 📄

Ms. Barbara Corwin, the applicant, accepted staff's recommendation.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

On motion of Mr. Waller, seconded by Dr. Brown, the Commission resolved to recommend approval of Case 16SN0546 and acceptance of the following proffered conditions:

PROFFERED CONDITIONS

1. Occupancy of the second dwelling unit shall be limited to: the occupants of the principal dwelling unit, individuals related to them by blood, marriage, adoption or guardianship, foster children, guests and any domestic servants. (P)
2. For the purpose of providing record notice, within thirty (30) days of approval of this request, a deed restriction shall be recorded setting forth the limitation in Condition 1. The deed book and page number of such restriction and a copy of the restriction as recorded shall be submitted to the Planning Department. (P)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- G. 16SN0547:** In Matoaca Magisterial District, **VSU Trojan Development, LLC** requests amendment to conditional use (Case 14SN0516) relative to the size of a required indoor activity area and amendment of zoning district map in a Community Business (C-3) District on 3.2 acres fronting 640 feet on the east line of Chesterfield Avenue, 215 feet north of Randolph Street. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Residential Mixed use. Tax IDs 795-611-7196, 7592, 7987, 8283, 8679, 9075, 9270, and 9466; and 796-611-0464, 0858 and 1053. 📄

Mr. Robert Turner, the applicant's representative, accepted staff's recommendation.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

On motion of Dr. Wallin, seconded by Mr. Patton, the Commission resolved to recommend approval of Case 16SN0547 and acceptance of the following proffered condition:

PROFFERED CONDITION

1. Uses. Uses shall be limited as follows:
 - c. Multifamily dwelling units, subject to the following provisions:
 - v. A minimum of 1,317 square feet of indoor activity area, open and easily accessible to building residents. Such area shall include, at a minimum, an exercise room and multipurpose area for gatherings, and shall not be located on the first floor. This condition shall not preclude the ability to have a maximum of 1,500 square feet of additional multipurpose area on the first floor. (P)

(STAFF NOTE: This proffered condition supersedes Proffered Condition 1.c.v. of Case 14SN0516. All other conditions of approval for Case 14SN0516 remain in effect.)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- I. **16SN0549:** In Bermuda Magisterial District, **Cornerstone Assembly of God** requests conditional use to permit a private pre-school in conjunction with a church and amendment of zoning district map in an Agricultural (A) District on 10.8 acres known as 10551 Chalkley Road. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Residential use (1.5 dwellings per acre or less). Tax IDs 784-660-2598 and 784-661-5125. 📄

Mr. Brandon Woodard, the applicant's representative, accepted staff's recommendation.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

On motion of Mr. Patton, seconded by Dr. Wallin, the Commission resolved to recommend approval of Case 16SN0549 and acceptance of the following proffered conditions:

PROFFERED CONDITIONS

1. Use. The private pre-school shall only be permitted in conjunction with the church use. (P)
2. Enrollment for Private Pre-School. Enrollment shall not exceed sixty (60) children. (P)
3. Development Standards. Except where the requirements of the underlying Agricultural (A) zoning district are more restrictive, any new development for the private pre-school use shall conform to the requirements of the Zoning Ordinance for commercial uses in Emerging Growth Areas. (P)
4. Recreational Facilities. Recreational facilities associated with the pre-school shall be limited to the existing playground area identified on Exhibit A, which could accommodate swings, jungle gyms or similar such facilities. The playground shall continue to be screened from properties to the south with a five (5) foot privacy fence. (P)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

L. **PROPOSED BIKEWAYS & TRAILS CHAPTER (14PJ0129).**

An amendment to Chesterfield County's Comprehensive Plan, Moving Forward...The Comprehensive Plan of Chesterfield. The Bikeways and Trails Chapter ("Chapter") encompasses the entire county as shown on The Land Use Map.

This will become a new chapter of the Comprehensive Plan. It will amend: Chapter 13 (Transportation), removing the Bikeway Plan and including an amendment to the Thoroughfare Plan stating “right of way widths may need to be increased based on the Bikeways and Trails Plan”; Chapter 14 (Public Facilities Plan), removing the Linear Parks & Trails section; and Chapter 15 (Implementation) of the Comprehensive Plan.

Sections of the Bikeways & Trails Chapter include: Overview, the Bikeways and Trails Plan (network map), Phasing, Local and Regional Context, Guidelines, Facility Guidance and Implementation.

The Overview provides information about past planning efforts, community engagement and an assessment of potential users including bicyclists, walkers and equestrians.

The Bikeways and Trails Plan (network map) identifies general location for on/along road and off-road facilities.

The Phasing section outlines the process for developing future projects identified in this chapter and describes existing conditions, active projects and projects that could be pursued upon adoption of the chapter including a study of the equestrian community and their needs relating to trails.

The Local and Regional Context section provides an overview of other public and private bikeway and trail efforts within Chesterfield County and the region.

The Guidelines and Facility Guidance sections guide bicycle and trail facility development and address principles necessary to implement the goal and guidelines of the Chapter. These include, among other things, the evaluation of all public projects to address bikeway and trail facilities; provisions for funding; coordination with internal and external public, private and nonprofit partners; bicycle and pedestrian access between existing and future neighborhoods; support of a civic association; facility signage, trailhead and parking guidelines; and conceptual illustrations for bikeway and trail facility types that incorporates safety considerations and crime reduction measures and strategies through design.

The Implementation section outlines amendments to the countywide Comprehensive Plan and includes steps to implement the goals and guidelines of the Chapter to include, among other things, the development of Neighborhood Connector Studies; ordinance and policy revision to address the provision of bikeways, trails and bicycle parking; coordination with internal and external public, private and nonprofit partners; support of a civic association; establishment of standard sign design; and development of an online bikeways and mapping tool.

Ms. Heather Barrar provided an overview to the Commission on the Bikeways & Trails Chapter. The chapter goal is to create and maintain a comprehensive bikeway and trail network that will provide alternatives to vehicular transportation, safely link people to destinations within and outside the County and encourage and support an active lifestyle for all ages and abilities. Multiple community meetings have been held, staff has updated and revised the chapter based upon public comments and the updated version includes phasing of the chapter. The Board has set their public hearing for November 18, 2015.

Mr. Gulley opened the floor for public comment.

The following speakers spoke in support of the Bikeways & Trails Chapter citing the positive social and health benefits of biking and walking in a safe environment and the positive impacts that this will bring to the County; Mr. Terry Troxell, Mr. Ken Robertson, Ms. Melinda Aileo, Mr. Everett Aileo and children, Lance and Juliet Aileo, Ms. Meghan Keogh, Ms. Allison Burnette, Ms. Amy Waters, Mr. Ray Patterson, Ms. Miriam Ford, Mr. Scott Weaver, Jo Gehlbach, Mr. Mike Snodgrass, Ms. Sabrina Adams, Mr. Joseph Flynn, Ms. Gabrielle Flynn, Ms. Ashley Mann, Ms. Tabitha Bowser, Mr. David Mann, Ms. Mary Dean, Ms. Carrie Aus, Ms. Crystal Rubio, Mr. Lindsay Childs, Ms. Kathleen Halpaus, Mr. James Brong, Mr. Andy Boenau, Mr. Steve Overgard, Mr. Mark Saunders, Mr. Michael Spranger, Chuck and Leland Gates, Ms. Jarica Davis, Mr. Gary Zimmermann, Mr. Gary Dahlquist, Mr. Andy Scherzer, and Ms. Wendy Austin.

The following speakers spoke in opposition to the chapter citing possible higher taxes, minimal usage, higher funding priorities, impacts on hunt clubs, environmental impacts, and maintenance costs; Mr. John Pettengill, Mr. Craig Stariha, Mr. Franklin Williams, Mr. Danny Sawyer, Mr. Don Blake, Mr. Jim Bryson, Mr. Rodney Martin, and Mr. Howard Nester.

In rebuttal, Ms. Barrar stated the general public interest in safer places to bike and walk is much greater now than it was in the past, this is an emerging field and people will continue to want to bike and walk safely. She stated that the phasing section of the chapter prioritizes projects in the more developed areas of the county, and that the chapter includes discussion of concerns about wildlife, hunting and the environment.

No one else spoke in favor of, or in opposition to the chapter.

There being no one else to speak Mr. Gulley closed the public hearing.

Mr. Gulley asked if the County would ever put a bike lane on an unimproved road and Ms. Barrar responded that bike facilities would be provided in conjunction with roadway improvement projects.

Dr. Brown stated the projects that will be implemented by the County will be decided by the Board and they will make a final decision about the chapter. In summary, he supports the chapter and it will bring value to the citizens of the County.

Mr. Waller stated he supported much of what Dr. Brown said. Regarding the hunting issues, he did ask Staff about these concerns and this chapter is focused more on the urban areas verses the rural areas. The funding for these projects is up to future Boards as to how much and when.

In response to a question from Mr. Waller relative to funding of sidewalks on Woolridge Road, Mr. Jesse Smith responded the CDA documents do not allow funds to be used for sidewalks; however there are several alternate funding sources that could be tapped into for sidewalks as this project moves forward.

Mr. Patton stated he feels the public is informed. He is a proponent of pay as you go. It will go to the Board at a later date. The private sector and developers will build a portion of the network through property development and the ordinances to follow this chapter adoption that will offer

setback and buffer relief are very important. He complimented Staff in their rewrite based upon public comments and he supports the chapter.

Dr. Wallin complimented the Staff for their hard work to gather information and be responsive, he has personally attended many community meetings that staff has coordinated. The first draft of the Comprehensive Plan was originally voted down primarily because it was not easily understood. This Bikeways & Trails Chapter is about eighty (80) % done but there are still some points that need to be addressed. Three (3) things need to be worked out; one (1) is cost, the public deserves a responsible expenditure plan. Two, (2) is the conflict between types of entertainment. Bikes are not just entertainment, but there is a recreational element of cycling, like hunt clubs and equestrian clubs. It would not take a whole lot of work to give this element support. Three (3) is eminent domain as this is a significant concern in the southern rural areas versus in the more urban areas. If he had his way, he would ask for another month or two (2) to get almost unanimous support for the chapter. He has been an advocate of the chapter from the beginning because with a plan you can control cost and prioritize existing expenditures. This is part of Parks and Recreation and we do not know where these trails are being planned. He cannot support the chapter as it is tonight and would like to defer this for sixty (60) days.

Mr. Gulley stated the Commission deferred the chapter to allow Staff time to get more input from the public. This is a mark of how we listen to the public. The first meeting had many folks say they didn't understand the Chapter and the public appreciated that extra time that Staff took to make the Chapter clearer. This is part of the Comprehensive Plan and the first iteration of the Comprehensive Plan was developed by consultants and it was rejected by the Board. The second iteration was created by in-house Staff and we took to heart the comments from the public. He supports this Chapter because we did the right thing by going back out to the people. This is a fifty (50) year plan and will be under review every five (5) years. The Board will address the needs of fire, police and education before they contribute money toward implementing this chapter. But if we don't have a plan in place, when the money becomes available we will not know where to spend it. Should the federal government come up with a plan to provide money for counties to develop bike or walking paths, our plan will be in place to receive the funding. He is very supportive of the chapter.

On motion of Mr. Gulley, seconded by Mr. Patton, the Commission resolved to recommend approval of The Bikeways & Trails Chapter 14PJ0129, as submitted by staff, including amendments to Chapter 13 (Transportation), removing the Bikeway Plan and including an amendment to the Thoroughfare Plan stating "right of way widths may need to be increased based on the Bikeways and Trails Plan"; Chapter 14 (Public Facilities Plan), removing the Linear Parks & Trails section; and Chapter 15 (Implementation) of the Comprehensive Plan.

AYES: Messrs. Gulley, Waller, Brown and Patton.
NAY: Dr. Wallin.

The Commission recessed at 8:47 p.m.

The Commission went back into session at 8:57 p.m.

- **CONDITIONAL USES, CONDITIONAL USE PLANNED DEVELOPMENT AND REZONING – OTHER.**

- A. **15SN0671***: In Midlothian Magisterial District, **James Barnett and Barnett's Heating and A/C Inc.** request renewal of conditional use (Case 07SN0143) to permit a contractor's shop and storage yard and amendment of zoning district map in an Agricultural (A) District on .6 acre known as 1224 Crowder Drive. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Village Shopping District uses. Tax ID 729-708-2499. 📄

Mr. Robert Clay presented an overview of the case and staff's neutral position on the renewal, recognizing the business has been in operation since 1975, the general character of Crowder Drive has changed over the years, and the proffered conditions minimize impacts on and neighboring homes.

Mr. James Barnett, the applicant, requested to let his business stay in its current location.

Mr. Waller noted a shorter time limit than the requested seven (7) years may be appropriate given the Midlothian Area Community Special Area Plan would soon be under review. He indicated staff adequately outlined the changing nature of Crowder Drive and that there have been no complaints against the operation. He suggested a time limit of three (3) years for the renewal of the conditional use.

Mr. Gulley opened the floor for public comment.

The following speakers voiced support for the applicant; Ms. Lorraine Jones, Mr. Jim Jewell, Ms. K. Nelson, Mr. Barry Marshall, Ms. Jane Gienger and Mr. Chuck Gienger

No one else came forward to speak in favor of, or in opposition to, the request.

There being no one else to speak, Mr. Gulley closed the public hearing.

In response to a question from Mr. Waller relative to a signed opposition letter from the Village of Midlothian Volunteer Coalition (VMVC), Mr. Clay stated he had received no such letter.

Mr. Waller stated neither he nor staff received a signed letter, but he understood that the VMVC could support a conditional use with a limited time of three (3) years.

Dr. Brown said he will support seven (7) years. The applicant is surrounded by commercial retail property and he sees no reason to not grant the request.

Messrs. Gulley, Patton and Wallin indicated support for five (5) years, as this will give the applicant time to make a decision about continuing the operation at this location after consideration of the Special Area Plan.

In response to a question of Mr. Waller's, Mr. Barnett agreed to accept five (5) years.

On motion of Mr. Waller, seconded by Dr. Wallin, the Commission resolved to recommend approval of Case 15SN0671 and acceptance of the following proffered conditions with Proffered Condition 1 amended from seven (7) years to five (5) years:

PROFFERED CONDITIONS

1. This Conditional Use shall be granted to and for J. B. Barnett, his son Stewart C. Barnett, his daughters Cynthia B. Mitchell and Dolores B. Moss, and/or his granddaughter Jordan K. Barnett, exclusively, for a period not to exceed five (5) years and shall not be transferable or run with the land. (P)
2. This Conditional Use shall be limited to the operation of a heating and air conditioning business, exclusively, and a maximum of six (6) employees, other than the applicant and his immediately family members, shall be permitted. (P)
3. Other than normal maintenance or improvements necessary to meet the Virginia Statewide Building Code, there shall be no exterior additions or alterations to the structures. (P and BI)
4. All work, with the exception of parking associated with the business, shall be conducted entirely within an enclosed building. (P)
5. One (1) sign shall be permitted and shall not exceed six (6) square feet. (P)
6. No more than five (5) customers shall be permitted on the property at any one (1) time. (P)
7. No deliveries shall be permitted before 8:00 a.m. or after 6:00 p.m. (P)
8. Hours of operation shall be restricted to between 7:00 a.m. and 9:00 p.m., Monday through Saturday. No Sunday operation shall be permitted. (P)
9. In addition to the heating and air conditioning business permitted as conditioned herein, uses permitted on the property shall be limited to those uses permitted by right or with restrictions in the Agricultural (A) District, except that the following uses shall not be permitted:
 - a. Model homes;
 - b. Communications towers;
 - c. Forestry operations and sawmills together with the incidental uses thereof;
 - d. Private kennels; and
 - e. Manufactured homes. (P)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- B. **15SN0673***: In Dale Magisterial District, **Frederick Izeal Gholson** requests conditional use to permit the parking of a semi-tractor and amendment of zoning district map in a Residential (R-9) District on .3 acre known as 5918 Silver Oak Lane. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2.0 to 4.0 dwellings per acre). Tax ID 785-685-0473. 📄

Mr. Robert Clay presented an overview of the case and staff's recommendation of denial as the request is incompatible with area residential uses, the vehicle dominates views along the street and represents commercial storage.

Mr. Frederick Gholson, the applicant, requested the Commission approve his case. He is having difficulty finding a place to park the tractor.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of or in opposition to the request.

There being no one to speak, Mr. Gulley closed the public hearing.

Dr. Brown stated he will support the one (1) year as the applicant is actively looking for an alternative parking location.

Mr. Gulley indicated the use is incompatible with the single-family residential neighborhood, and expressed concern that this use could continue beyond one (1) year if renewal is requested. He encouraged Mr. Gholson to work aggressively in locating another place to park the truck.

Mr. Patton noted other nearby areas where truck parking is permitted in the right-of-way.

On motion of Dr. Brown, seconded by Mr. Waller the Commission resolved to recommend approval of Case 15SN0673 and acceptance of the following proffered conditions:

PROFFERED CONDITIONS

1. Non-Transferable Ownership: This Conditional Use approval shall be granted exclusively to Frederick Izeal Gholson, and shall not be transferable nor run with the land. (P)
2. Use: This Conditional Use approval shall be for the parking of a commercial vehicle having no more than 3 axels and not exceeding 17,000 pounds. (P)
3. Time Limitation: This Conditional Use approval shall be granted for a period not to exceed 1 year from the date of approval. (P)
4. Location of Vehicle: The vehicle shall be parked off of the street and in the driveway only. (P)

AYES: Messrs. Waller, Brown, Patton and Wallin.
NAY: Mr. Gulley.

- H. **16SN0537:** In Dale Magisterial District, **MGP Retail Consulting, LLC** requests rezoning from Residential (R-7), Community Business (C-3) and General Business (C-5) to Neighborhood Business (C-2) plus conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map on 14.5 acres located in the northwest quadrant of Iron Bridge and Cogbill Roads. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Neighborhood Business use. Tax IDs 775-682-2797 and 8199; 775-683-7226 and 8309. 📄

Ms. Jane Peterson presented an overview and staff's recommendation of approval as it complies with the Comprehensive Plan and addresses impacts on area development.

Ms. Ann Neil Cosby, the applicant's representative accepted staff's recommendation. She noted that the request represented a downzoning, precluding car rental and repair, gas pumps, convenience store, fast food and alternative financial institutions. The hours of operation have been adjusted to a close time of 11 p.m. and an open time of 6 a.m.

Mr. Gulley opened the floor for public comment.

Mr. Dewey Litton, representing the adjacent church, indicated he is supportive of the request given that the applicant has provided fencing along the northern boundary to deter cut through pedestrian traffic across church property.

Ms. Sharon Condrey noted concerns about additional traffic on Cogbill Road and turning movements into the proposed center. She indicated a need for a traffic light from Route 10 into Meadowbrook Farms. She would like the Commission to defer their decision until traffic issues can be addressed.

Ms. Charlene Hopkins, president of Meadowbrook Farms, stated there is a traffic problem but welcomes the store.

In rebuttal, Mr. Jonathan Ritchie stated they have worked extensively with the County to address traffic issues from the build out of the store.

No one else came forward to speak in favor of, or in opposition to, the request.

There being no one else to speak, Mr. Gulley closed the public hearing.

In response to a question of Mr. Gulley's, Mr. Jesse Smith stated previous VDOT studies concluded that traffic at the Meadowbrook Farm entrance did not meet signal warrants; that the county has requested that VDOT perform another traffic signal study; and that this study should take approximately ninety (90) days.

In response to a question from Mr. Gulley, Mr. Conner Evans stated this site does not have a specific date for opening but all road work will be done prior to the store opening.

Dr. Brown noted build out should help with traffic, the use will benefit the neighborhood and he supports the case.

On motion of Dr. Brown, seconded by Mr. Waller, the Commission resolved to recommend approval of Case 16SN0537 and acceptance of the following proffered conditions and the addendum:

PROFFERED CONDITIONS

The Owners (the “Owners”) in this zoning case, pursuant to §15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the Property known as Chesterfield County Tax Identification Numbers 775-682-2797, 775-682-8199, 775-683-7226, and 775-683-8309 (the “Property”) under consideration will be developed according to the following conditions if, and only if, the application request for rezoning to C-2 Neighborhood Business is granted. In the event the request is denied or approved with conditions not agreed to by the Owners, the proffers shall immediately be null and void and of no further force or effect.

Exhibit A – Plan titled “Test Fit for Lidl,” prepared by Bohler Engineering, dated 9-25-15.

Exhibits B-1, B-2, and B-3 – Front, side, and rear architectural elevations of Lidl grocery store.

1. Master Plan. The Textual Statement dated July 2, 2015, last revised October 7, 2015, shall be considered the Master Plan. (P)
2. Uses. The uses on the Property shall be all uses allowed in the Neighborhood Business (C-2) District, except that the following uses shall not be allowed:
 - A. Alternative financial institution.
 - B. Automobile service station.
 - C. Automobile self-service station.
 - D. Convenience store with gas pumps, provided that a convenience store that is less than 1,500 square feet and without gas pumps shall be permitted.
 - E. Restaurant, fast food or drive-in only. (P)
3. Transportation Density. The maximum density of the development for transportation planning purposes shall be 36,170 square feet of supermarket/grocery store plus 27,500 square feet of general retail space or equivalent density as determined by the Virginia Department of Transportation. (T)
4. Dedication. The following rights-of-way on the Property shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County prior to any site plan approval, or within sixty (60) days from the date of a written request by the Transportation Department, whichever occurs first.
 - A. Forty-five (45) feet of right-of-way on the north side of Cogbill Road, measured from the centerline of that part of Cogbill Road immediately adjacent to the Property.

- B. Sixty (60) feet of right-of-way on the west side of Iron Bridge Road (Route 10), measured from the centerline of that part of Route 10 immediately adjacent to the Property. (T)
5. Access.
- A. Direct vehicular access from the Property to Cogbill Road shall be limited to one (1) access. The location of the access shall be as generally shown on Exhibit A and the exact location shall be approved by the Transportation Department.
 - B. If required by the Fire Department, a gated emergency only access may be provided from the Property to Route 10. (T)
6. Road Improvements. Prior to the issuance of an occupancy permit, the following improvements shall be completed. The exact design and length of these improvements shall be approved by the Transportation Department.
- A. Construction of an additional lane of pavement along the southbound lanes of Route 10 for the entire Property frontage.
 - B. Construction of a separate right turn lane along the southbound lanes of Route 10 at the Cogbill Road intersection.
 - C. Construction of left and right turn lanes along Cogbill Road at the approved access.
 - D. Construction of additional pavement along Cogbill Road to provide a five (5) lane typical section [i.e., one (1) westbound lane and four (4) eastbound lanes] at its intersection with Route 10.
 - E. Modification of the traffic signal at the Route 10/Cogbill Road intersection.
 - F. Construction of sidewalks along Cogbill Road and Route 10 for the entire Property frontage.
 - G. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above. (T)
7. Architecture. The architecture of the grocery store shall be generally in conformance with Exhibits B-1, B-2, and B-3. (P)
8. Buffers.
- A. A minimum one-hundred (100) foot wide undisturbed natural buffer shall be provided along the Property line adjacent to the Meadowbrook Farms Subdivision. This buffer shall comply with the provisions of the Zoning Ordinance.
 - B. A six (6) foot tall vinyl or vinyl-clad privacy fence (as measured from the grade of the Church parking lot) shall be provided within the buffer located generally along the northern Property line, adjacent to GPINs 775-683-3761, 775-683-6259 and 775-683-8748 (the "Church"). The fence may be reduced in height or eliminated in only those areas necessary to accommodate VDOT or CDOT sight distance requirements, if required, and/or as reviewed and approved by the Church.
 - (i) Once the fence has been reviewed and approved by the Church, the Owners shall submit evidence of that approval to the County as part of the site plan submittal.

- (ii) The fence shall be maintained and kept free of graffiti by the Owners of the Property. If the adjacent properties to the north are zoned or developed for commercial uses, the fence may be removed at the option of the Owners. (P)
- 9. Hours of Operation. The uses on the Property shall be closed to the public between the hours of 11 p.m. and 6 a.m. (P)
- 10. Stormwater.
 - A. No stormwater runoff from new impervious areas shall be discharged into the adjacent Meadowbrook Farm Subdivision.
 - B. The post-development ten-year discharge to the existing double 15-inch reinforced concrete pipe (RCP) culverts under Cogbill Road shall be reduced to the two-year pre-development discharge rate. Additionally the amount of proposed impervious area draining to the RCP culverts shall be minimized to the maximum extent practicable. (EE)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- I. **16SN0552:** In Bermuda Magisterial District, **Bermuda Marketplace, LLC** requests rezoning of 5.8 acres of an 8 acre tract from General Business (C-5) to General Business (C-5) and conditional use to permit multifamily residential use and conditional use planned development to permit exceptions to ordinance requirements on this 8 acre tract and amendment of zoning district map lying 370 feet off the west line of Jefferson Davis Highway, 1,100 feet south of Perdue Springs Drive. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for commercial use. Tax IDs 797-656-3684 and 797-657-2314. 📄

Mr. Mike Tompkins stated after the case was advertised, the applicant has withdrawn the requested conditional use on the 2.2 acre portion zoned (C-3) and that withdrawal is acknowledged.

Ms. Jane Peterson provided an overview to the Commission and staff's recommendation of denial as it the request does not address impacts on capital facilities. She noted that the property is within the boundaries of the Jefferson Davis Special Area Plan, currently under review.

Mr. Andy Scherzer, the applicant's representative, requested the Commission consider the request with respect to the changing demographics in the County and a pending need for senior. The cash proffer allocation is the only issue. The proposal limits commercial uses and provides senior housing with an architectural treatment that would put forth a positive image for this area. The Jefferson Davis Association has attended community meetings and he is not aware of any opposition to the project. This will be a quality project, superior materials, and quality design. This company has been developing for over twenty-five (25) years. They are committed to building a great product and they own and maintain their projects. The applicant is requesting a cash proffer reduction, believing this project to be part of a revitalization effort. a great product and an investment in the community.

Mr. Gulley opened the floor for public comment.

Mr. Rodney Martin questioned the consistency of the cash proffer policy application.

Ms. Danielle Sally presented a letter in support of affordable housing from Senior Connections.

In rebuttal, Mr. Andy Scherzer, stated the issue is the cash proffer and if this project constitutes revitalization. He reemphasized that developer takes great interest in their projects and it will be a quality product.

No one else came forward to speak in favor of, or in opposition to, the request.

There being no one else to speak, Mr. Gulley closed the public hearing.

Mr. Patton reflected on references in the Comprehensive Plan to Enterprise Zone, proactive code enforcement, sense of place and neighborhood enhancements. He noted that the Jefferson Davis Corridor is noted as a revitalization area, and that a revitalization strategy should enhance sense of place and support socio-economic wellbeing. The proposal represents a quality product at an ideal location to serve a targeted price point.

In response to a question from Mr. Patton on opportunities to incentivize investment in these areas, Mr. Schlaudt stated that there are some existing incentives to encourage revitalization such as the rehabilitation tax credit, and his office is in the process of looking at other opportunities. He indicated that, based on several factors, staff did not identify the subject property as being within a revitalization area.

In response to a question from Dr. Brown relative to fire access, Mr. Batten responded twenty-six (26) feet is standard width for fire equipment.

On motion of Mr. Patton, seconded by Dr. Wallin, the Commission resolved to recommend approval of Case 16SN0552 and acceptance of the following proffered conditions and addendum:

PROFFERED CONDITIONS

1. Uses.

- a. Permitted uses within the portion of property zoned General Business (C-5) District shall be limited to those uses permitted by right or with restrictions in the Community Business (C-3) District, plus the following:
 - i. Automobile rental, repair and sales (excluding consignment lots)
 - ii. Cold storage
 - iii. Conference center
 - iv. Contractor's office, shop and storage yard
 - v. Motor vehicle rental, repair and sales
 - vi. Self-storage facility
 - vii. Recreational establishment, commercial-outdoor;
 - viii. Research and development facility;
 - ix. Warehouse, accessory to permitted use;

- x. Warehouse, principal use;
 - xi. Wholesale houses and distributor, excluding greenhouse or plant nursery;
 - xii. Wholesale trade of any product allowed to be sold at retail in the district.
 - b. Dwellings, multiple-family, provided that should commercial uses also be developed on the General Business (C-5) property, such uses be limited to those permitted by right or with restrictions in the Community Business (C-3) District. (P)
2. SWM/BMP Facility. The applicant shall prepare a post construction as-built certification, acceptable to Environmental Engineering, of the existing basin located on GPIN 797-656-6244. This certification shall indicate that the required BMP configuration, volume elevations, and structures are in conformance with the approved construction plans for that BMP facility. (EE)

The following shall apply to any multi-family development:

- 3. Master Plan. The Textual Statement last revised October 7, 2015, and the Zoning Plan (Bermuda Crossing, Layout Plan), Exhibit A, last revised September 24, 2015 and prepared by Balzer and Associates, Inc. shall be considered The Master Plan for multi-family development. Uses shall be located as generally depicted on the Zoning Plan, but the location and size of buildings, parking and amenities may be modified provided the uses generally maintain their relationship with each other and any adjacent properties. (P)
- 4. Residential Multifamily Density. A maximum of eighty (80) multifamily dwelling units shall be permitted on the property. (P)
- 5. Architectural Treatment. Unless deviations are approved by the Planning Commission during site plan review, the architectural treatment of the multifamily building shall be compatible and consistent with Exhibit B, titled "1410 Bermuda Crossing." (P)

Sixty (60) percent of the total number of units shall have balconies or ground floor patios with doors with flanking windows to each side. (P)

- 6. Building Materials. Structures shall be constructed with brick or stone veneer; composition, or hardiplank siding; and twenty-five (25) year asphalt shingles. Exterior facade will contain at least eighty (80) percent brick or stone veneer. Different brick and grout will be used for building façade to add depth and interest to the structure. Vinyl siding shall not be permitted. (P)
- 7. Landscaping. Landscaping shall be provided around the perimeter of all buildings, between buildings and driveways, within medians, and within common areas not occupied by recreational facilities or other structures. Landscaping shall comply with the requirements of the Zoning Ordinance. Landscaping shall be designed to: minimize the predominance of building mass and paved areas; define private spaces; and enhance the residential character of the development. The Planning Department, at the time of site plan

review, shall approve the landscaping plan with respect to the exact numbers, spacing, arrangement and species of plantings. (P)

8. Street trees. Street trees, consisting of large deciduous trees planted a maximum of forty (40) feet on center, shall be planted along each side of the interior access roads and common driveways. Spacing may be increased where there is a conflict with utilities, sightlines, and driveway areas. (P)
9. Focal Point. A minimum of 0.50 acres shall be provided in the project as a focal point. Part of the area shall be “hardscaped” and have other amenities that accommodate and facilitate gatherings. The exact design and location shall be approved by the Planning Department at the time of site and/or subdivision plan review. Areas that may count towards the required focal point area are shown on Exhibit A. (P)
10. Sidewalk. A five (5) foot sidewalk shall be constructed to provide connectivity to the adjacent property on GPIN 797-656-6244, which includes the Bermuda Shopping Center. The exact location, treatment, and design of sidewalk shall be determined at time of site plan review. (P)
11. Recreational Provisions. Multifamily structures shall include:
 - 1) A minimum of 1,500 square feet of indoor activity area, open and easily accessible to building residents. Such area shall include, at a minimum, an exercise room, computer stations and a multipurpose area for gatherings that is equipped with a common kitchen and restrooms.
 - 2) A laundry room equipped with a minimum of four (4) washing machines and four (4) clothes dryers. (P)
12. Exterior Walking Trail. A five (5) foot walking trail shall be constructed along the exterior of the multi-family building, as a recreational facility, as generally shown on Exhibit A. The trail shall be 2” SM-9.5 asphalt and over 4” 21-B stone. The trail shall be maintained by the Developer. (P)
13. Restriction on Children’s Play Facilities. The common area/recreational amenities associated with any multifamily use shall not include playground equipment, play fields or other facilities primarily associated with children’s play. (P)
14. Age Restriction. Except otherwise prohibited by the Virginia Fair Housing Law, the Federal Housing Law, and such other applicable federal, state, or local legal requirements, dwelling units shall be restricted to “housing for older persons” as defined in the Virginia Fair Housing Law and shall have no persons under 19 years of age domiciled therein (“Age-Restricted Dwelling Units”). (P)
15. Cash Proffer. For each dwelling unit, the applicant, sub-divider, or assignee(s) shall pay the following to the County of Chesterfield, prior to the issuance of a building permit for infrastructure improvements within the cash proffer service district for the property, unless state law prevents enforcement of that timing:

- a. \$7,000.00 per dwelling unit for the period beginning the July 1 preceding the Board of Supervisors' approval of the case through July 1 four years later, at which point the amount will be adjusted for the cumulative change in the Marshall and Swift Building Cost index during that time period. At the time of payment, the \$7,000.00 will be allocated pro-rata among the facility costs as follows: \$6303.00 for roads, and \$697.00 for fire stations.
- b. Thereafter, the per dwelling unit cash proffer amount shall be automatically adjusted, annually, by the annual change in the Marshall and Swift Building Cost Index on July 1 of each year.
- c. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law.
- d. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in cash proffers shall be in lieu of or credited toward, but not be in addition to, any impact fees, in a manner determined by the County. (B&M)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- K. 16SN0553:** In Bermuda Magisterial District, **John P. Meyer** requests rezoning from Residential (R-7) to Agricultural (A) with conditional use to permit a storage yard (storage containers) and amendment of zoning district map on 4.1 acres fronting 50 feet on the west line of Jefferson Davis Highway, 60 feet north of Old Bermuda Hundred Road. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Neighborhood Business use. Tax ID 799-649-4291.

Mr. John Meyer indicated he purchased the request property in 2013 to help his parents store items recovered as a result of a legal struggle between his parents and their building contractor. He is asking for conditional use to be compliance with County zoning conditions.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

Mr. Patton stated there was a community meeting on the case. Working with a civil engineer, he believes future use of the property for residential development would be difficult. As such, downzoning to Agricultural with a conditional use for one (1) year would provide time for the applicant to remove the containers from the property.

On motion of Mr. Patton, seconded by Dr. Brown, the Commission resolved to recommend approval of Case 16SN0553 and acceptance of the following proffered conditions and addendum:

PROFFERED CONDITIONS

1. Non-Transferable Ownership. This Conditional Use approval shall be granted to John P. Meyer and his parents, Gerald E. Meyer and Patricia A. Meyer, exclusively, and shall not be transferable with the land. (P)
2. Use. This Conditional Use approval shall be for the operation of a storage yard for storage containers and temporary outside storage areas only. (P)
3. Time Limitation. This Conditional Use approval shall be granted for a period not to exceed one (1) year from the date of approval. (P)
4. Storage Containers. Storage containers shall be limited to the following:
 - a. One (1) tractor trailer storage container
 - b. Five (5) storage containers

No other equipment or storage containers may be stored on the property for this use. (P)

5. Outside Storage. Within ninety (90) days of approval, all outside storage of building and landscape materials shall be stored within a building, a storage container, or removed from the property.
6. Storage Container Relocation. Any storage container within fifty (50) feet of the John Tyler Woods subdivision shall be relocated to be a minimum of fifty (50) feet from any property zoned for Residential uses, as shown on Exhibit A. This relocation shall occur within ninety (90) days of approval. (P)
7. Location of Use. The storage containers and temporary outside storage areas shall be located on the property as generally illustrated on Exhibit A, dated September 23, 2015. (P)
8. Farm Animals. The keeping of one (1) or more cows, sheep, goats, horses, chickens, other fowl, rabbits and other farm animals shall be prohibited. (P)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

IX. OTHER BUSINESS.

There was no other business discussed.

X. CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS INVOLVING THE SERVICES, POLICIES AND AFFAIRS OF THE COUNTY GOVERNMENT REGARDING PLANNING OR LAND USE ISSUES.

There were no citizen comments on unscheduled matters.

XI. ADJOURNMENT.

There being no further business to come before the Commission, it was on motion of Dr. Brown, seconded by Dr. Wallin that the meeting adjourned at 10:56 p.m. to Tuesday, November 17, 2015 at 3:30 p.m., in the Public Meeting Room, 10001 Iron Bridge Road, Chesterfield, Virginia.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

Chairman/Date

Secretary/Date